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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

JANE DOE,

Plaintiff,

vs.

JOSEPH LOMBARDO, Governor of Nevada, in
his official capacity; AARON FORD, Attorney
General of Nevada, in his official capacity; NYE
COUNTY; ELKO COUNTY; STOREY
COUNTY; WESTERN BEST, LLC; DESERT
ROSE CLUB, LLC; HACIENDA ROOMING
HOUSE, INC. D/B/A BELLA'S HACIENDA
RANCH; MUSTANG RANCH
PRODUCTIONS, LLC D/B/A MUSTANG
RANCH LOUNGE, LLC; LEONARD
'LANCE' GILMAN, in his official capacity; and
LEONARD 'LANCE' GILMAN, in his
individual capacity,

Defendants.

Case No.: 3:24-cv-00065-MMD-CSD

**PLAINTIFF'S MOTION TO STRIKE
PROPOSED-INTERVENOR'S RESPONSE
TO PLAINTIFF'S MOTION FOR
RECONSIDERATION [ECF No. 146] AND
PROPOSED-INTERVENOR'S SECOND
REQUEST FOR JUDICIAL NOTICE RE:
2019 RENO GAZETTE JOURNAL
ARTICLE [ECF No. 147]**

COMES NOW, Plaintiff Jane Doe (hereinafter “Plaintiff”), by and through her undersigned counsel, hereby brings this Motion to Strike the Proposed Intervenor’s Response to Plaintiff’s Motion for Reconsideration [ECF No. 146] and Second Request for Judicial Notice regarding the 2019 Reno Gazette Article [ECF No. 147]. Plaintiff asks that this Court GRANT Plaintiff’s Motion to Strike, for the reasons that follow.

INTRODUCTION

On November 1, 2024, Proposed Intervenor filed a response, ECF No. 146, to Plaintiff’s Motion for Reconsideration, ECF No. 145, improperly attempting to explain his rationale, as an “unashamed sex buyer,” for asking around about Jane Doe in the brothels. Proposed Intervenor, on November 4, 2024, also filed a second request for judicial notice, ECF No. 147. As Plaintiff has previously argued several times, *see* ECF Nos. 142, 143, Proposed Intervenor has no right to file anything in this case, as this Court has not permitted him to intervene as a defendant. Thus, given the harassing, inappropriate, and relentless nature of Proposed Defendant-Intervenor’s irrelevant filings, Plaintiff moves to strike his response and request for judicial notice. Plaintiff will no longer be responding to or engaging with Proposed Defendant-Intervenor’s filings, unless specifically directed by this Court, or unless and until he is admitted as a party to this case, which Plaintiff strenuously opposes, ECF No. 111.

ARGUMENT

Mr. Greer’s response to Plaintiff’s Motion for Reconsideration and his Motion Requesting Judicial Notice should both be struck under Fed. R. Civ. P. 12(f) for being redundant, immaterial, impertinent, and scandalous. Both motions should be struck because he has not been given the right to intervene as a defendant in this case and is not a party.

I. Mr. Greer has not been granted the right to intervene in this case and is not a party, so the Court should strike his response and motion

Mr. Greer has not been granted the right to intervene in this case, either as of right or by permissive intervention. *See* August 16 Order, ECF No. 112 at 3, n.9 (“[T]he Court defers ruling on...the motion to intervene (ECF No. 109).”). “[A] prospective intervenor does not become a party to the suit unless and until he is allowed to intervene.” *Robert Ito Farm, Inc. v. County of Maui*, 842 F.3d 681, 687 (9th Cir. 2016). Mr. Greer is not a party to this case because the Court has not granted his motion to intervene. Thus, he has no right to continue frivolous filings and act like he is a party. *See generally, League of United Latin Am. Citizens v. Wilson*, 131 F.3d 1297, 1304 (9th Cir. 1997) (finding that “as a general rule, intervenors are permitted to litigate fully *once admitted* to a suit”) (emphasis added).

II. Mr. Greer’s motions should be struck for being redundant, immaterial, impertinent, and scandalous, pursuant to Federal Rule of Civil Procedure 12(f).

Mr. Greer’s motions should be struck for being redundant, immaterial, impertinent, and scandalous. Courts are permitted to strike from a pleading, “an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.” Fed. R. Civ. P. 12(f). “Redundant allegations are those that are needlessly repetitive or wholly foreign to the issues involved in the action.” *Aurora Astro Products LLC v. Celestron Acquisition, LLC*, 691 F. Supp. 3d 1132, 1155 (N.D. Cal. Sept. 13, 2023 (cleaned up)). “Matter that is immaterial is that which has no essential or important relationship to the claim for relief or the defenses being pleaded.” *Fantasy, Inc. v. Fogerty*, 984 F.2d 1524, 1527 (9th Cir. 1993), *rev’d on other grounds*, 510 U.S. 517 (1994). “Impertinent matter consists of statements that do not pertain, and are not necessary, to the issues in question.” 5A Charles A. Wright & Arthur R. Miller, *Federal Practice and Procedure* § 1382, at 706-07 (1990). In general, motions to strike are disfavored and should not be granted unless

1 it is “clear that that the matter to be stricken could have no possible bearing on the subject matter
 2 of the litigation.” *Artisan Tile and Plumbing, Inc. v. Assurance Company of America*, 2005 WL
 3 8161172, *2 (D. Nev. Oct. 12, 2005).

4 Both of Mr. Greer’s latest motions, ECF No. 146 and ECF No. 147, are perfect examples
 5 of the types of filings Rule 12(f) is meant to prevent. They contain information wholly unrelated
 6 to the issues in this litigation, and are not necessary or helpful to resolving such issues. His
 7 unwarranted filings are harassing and irrelevant and should be struck in their entirety. Because
 8 Proposed-Intervenor’s motions are unwarranted and improper, especially as he has no right to
 9 submit any fillings, Plaintiff will no longer be responding to his filings unless specifically
 10 ordered to by this Court. Plaintiff also requests the Clerk to not accept filings by Proposed-
 11 Intervenor because he has no right to make such filings in a suit when he is not a party.

12 CONCLUSION

13 For the foregoing reasons, Plaintiff respectfully requests that this Court grant Plaintiff’s
 14 motion to strike.

15 Respectfully submitted,

16 Dated: November 7, 2024

17 /s/ Christen M. Price

18 Christen M. Price

19 (*admitted pro hac vice*)

20 Benjamin W. Bull (*admitted pro hac vice*)

21 Peter A. Gentala (*admitted pro hac vice*)

22 Dani Bianculli Pinter (*admitted pro hac vice*)

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27 GUINASSO LAW, LTD.

28 *Attorneys for Plaintiff*

ELECTRONIC CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that on this 7th day of November, 2024, a true and correct copy of the foregoing **PLAINTIFF’S MOTION TO STRIKE PROPOSED-INTERVENOR’S RESPONSE TO PLAINTIFF’S MOTION FOR RECONSIDERATION [ECF No. 146] AND PROPOSED-INTERVENOR’S SECOND REQUEST FOR JUDICIAL NOTICE RE: 2019 RENO GAZETTE JOURNAL ARTICLE [ECF No. 147]** was electronically filed with the United States District Court. Electronic service of the foregoing document shall be made in accordance with the Master Service List.

/s/ Jennifer Johnson